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Attorneys for Defendants  
NTH CONNECT TELECOM, INC.  
and STEVEN CHEN

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

VLADIMIR A. BALAREZO, individually and )  
on behalf of others similarly situated, )

Plaintiff, )

vs. )

NTH CONNECT TELECOM, INC., AND )  
STEVEN CHEN, )

Defendants. )

Case No.: C 07-05243 HRL

**STIPULATION AND [PROPOSED]  
ORDER DISMISSING THE ENTIRE  
MATER WITH PREJUDICE**

**[Fed. R. Civ. P. 41(a)(1)(ii)]**

1 WHEREAS, the parties agreed to settle this matter on the record at the March 11, 2013  
2 Settlement Conference before Magistrate Judge Grewal (*see* Dkt. No. 247);

3 WHEREAS, the parties, through their respective counsel, subsequently negotiated and  
4 prepared a written Settlement Agreement detailing the terms and conditions of the settlement;

5 WHEREAS, all parties and their respective counsel executed a *CONFIDENTIAL*  
6 SETTLEMENT AGREEMENT AND RELEASE (the "Settlement") on or before May 9, 2013;

7 WHEREAS, the Settlement provides that this litigation shall be dismissed upon the  
8 satisfaction of certain conditions precedent;

9 WHEREAS, all conditions precedent to dismissal have been satisfied at this time; and,

10 WHEREAS, the Settlement becomes effective, as defined therein, upon dismissal of this  
11 lawsuit with prejudice.

12  
13 IT IS HEREBY **STIPULATED** BY ALL PARTIES HERETO that:

14 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), the parties, by and through their  
15 respective attorneys, hereby stipulate and respectfully request that this Court enter an Order  
16 dismissing this litigation with prejudice.

17  
18 DATED: May 22, 2013

Respectfully submitted,

19 MINAMI TAMAKI LLP

20  
21 By: /s/ Kevin R. Allen  
22 Brad Yamauchi  
23 Kevin R. Allen  
24 Attorneys for Defendants NTH CONNECT  
TELECOM, INC. and STEVEN CHEN

25 DATED: May 22, 2013

LAW OFFICES OF TOMAS E. MARGAIN

26 By: /s/ Tomas E. Margain  
27 Adam Wang  
28 Tomas E. Margain  
Attorneys for Plaintiffs

**GENERAL ORDER 45 ATTESTATION**

I, Kevin R. Allen, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Reassigning Case To Magistrate Judge for all Purposes, Including Entry of Final Judgment [L.R. 73-1(b)]. In compliance with General Order 45, X.B., I hereby attest that Plaintiffs' counsel, Tomas E. Margain, has concurred in this filing.

DATED: May 22, 2013

Respectfully submitted,

MINAMI TAMAKI LLP

By: /s/ Kevin R. Allen  
Brad Yamauchi  
Kevin R. Allen  
Attorneys for Defendants NTH CONNECT  
TELECOM, INC. and STEVEN CHEN

**[PROPOSED] ORDER**

**PURSUANT TO STIPULATION, IT IS ORDERED** that:

This matter is dismissed with prejudice.

**IT IS SO ORDERED.**

DATED: May \_\_, 2013

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THE HONORABLE HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE